

ORDINANCE NO. 83- 10

ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, TO ESTABLISH A FIXED MONTHLY AUTOMOBILE ALLOWANCE FOR MEMBERS AND EMPLOYEES OF THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR TITLE; PROVIDING FOR PURPOSE AND AUTHORITY; PROVIDING FOR AMOUNT OF ALLOWANCE; PROVIDING FOR CRITERIA; PROVIDING FOR TRAVEL STATEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR EFFECTIVE DATE.

WHEREAS, pursuant to Section 112.061, Florida Statutes, the Board of County Commissioners is authorized to grant monthly allowances in a fixed amount for members and employees of the Board for the use of privately owned automobiles on official business;

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:

SECTION 1. TITLE:

This ordinance shall be known as the Palm Beach County Fixed Monthly Automobile Allowance Ordinance.

SECTION 2. PURPOSE AND AUTHORITY:

This ordinance is enacted pursuant to the authority granted to the Board of County Commissioners in §112.061, Florida Statutes, which authorizes the Board of County Commissioners to grant monthly allowances in a fixed amount for the use of privately owned automobiles on official business, in lieu of the mileage rate provided by said statute; and shall apply only to members and employees of the Board of County Commissioners.

SECTION 3. AMOUNT OF ALLOWANCE:

Whenever a member or employee of the Board of County Commissioners is regularly required to utilize a privately owned automobile for transportation in connection with the said member's or employee's official business for Palm Beach County, such person shall have the option, subject to Board approval, to elect to be reimbursed pursuant to the mileage rate provided in § 112.061, Florida Statutes, or to receive a fixed monthly automobile allowance in a reasonable amount as required by law to be recommended by the County Internal Auditor and approved by the Board during annual budget preparation.

1 SECTION 4: CRITERIA:

2 The criteria to be utilized in determining the amount of
3 this allowance include but are not limited to:

- 4 (A) Customary use of automobiles by the persons eligible
5 for said allowance;
- 6 (B) Roads customarily traveled in connection with official
7 county business;
- 8 (C) The average cost of maintenance, operation and owner-
9 ship of an automobile located and primarily operated in
10 Palm Beach County;
- 11 (D) The average number of miles traveled by the persons
12 eligible for said allowance;
- 13 (E) Cost of providing a county owned or leased automobile
14 for full time use by persons eligible for said
15 allowance.

16 SECTION 5: TRAVEL STATEMENT:

17 In addition to the requirements set forth in Chapter
18 112.061(7) (f), Florida Statutes, each traveler shall include within said
19 statement the cost of said travel if the same had been performed in an
20 automobile owned or leased by Palm Beach County and assigned on a full
21 time basis to the person submitting said statement.

22 SECTION 6: SEVERABILITY:

23 If any section, paragraph, sentence, clause, phrase or word
24 of this Ordinance is found unconstitutional, inoperative or void, such
25 holding shall not affect the remainder of this Ordinance.

26 SECTION 7. INCLUSION IN THE CODE:

27 The provisions of this Ordinance shall become and be made a
28 part of the Code of Laws and Ordinances of Palm Beach County, Florida.
29 The sections of this Ordinance may be renumbered or relettered to
30 accomplish such and the word "Ordinance" may be changed to "Section",
31 "Article" or other appropriate word.

32 SECTION 8. EFFECTIVE DATE:

33 The provisions of this ordinance shall become effective upon
34 receipt of acknowledgement by the Department of State, State of Florida.
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APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH
COUNTY, FLORIDA, this 28th day of June, 1983.

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By [Signature]
Vice-Chairman

Acknowledgement by the Department of State of the State of
Florida, on this, the 7th day of July, 1983.

Effective Date: Acknowledgement from the Department of
State received on the 11th day of July, 1983, at 3:15,
P.M. and filed in the Office of the Clerk of the Board of County
Commissioners of Palm Beach County, Florida.

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By [Signature]
County Attorney